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CRASSUS, CAESAR, AND CATILINE[1]

Crassus and Caesar were suspected of having a part in the so-called first conspiracy of Catiline. It is more than probable that there is truth behind the suspicion. Both Suetonius[1a] and Livy[2] say that, after the Senate should be attacked on January 1, 65 B. C., and the consuls assassinated, Crassus was to become dictator, Caesar *magister equitum*, and the consulship was to be restored to Sulla and Autronius, who, after election to that office, had been deprived of it because they had been convicted of bribery[3]. Asconius[4] says that Cicero believed Crassus to be the instigator of this plot. Again, both Crassus and Caesar shortly after this tried to secure a military command in Egypt[5].

The plot against the consuls, Cotta and Torquatus, was set for January 1, 65 B. C., the day on which they would take office. Since Crassus failed to appear, Caesar did not give the signal to the conspirators, and the plot was postponed till February 5[6]. Neither Crassus nor Caesar seems to have had a part in the second attempt. Since the first attempt had failed, it was typical of them to withdraw into the background and await a more favorable time.

Through the influence of Crassus, Cn. Calpurnius Piso, a young noble, as bold as he was seditious, and deeply in debt, was later sent to Spain by a decree of the Senate, with the rank of praetor, although he was only a quaestor[7]. Sallust[8] relates that Crassus knew Piso to be a deadly enemy of Pompey. Crassus was trying to salvage something from the wreckage of the plot which had just failed[9]. When Cicero declined the province of Spain[10], a splendid opportunity presented itself to raise the standard in Spain against Pompey in the East[11]. Caesar was probably aiding Crassus at this time; both Livy and Suetonius say that he made a plot with Piso by which at one and the same time Piso was to instigate a revolt in Spain, and Caesar a revolt in Rome. The death of Piso, which occurred before July, 64 B. C.[12], put an end to this plot.

Crassus and Caesar continued their machinations during 65 B. C. They apparently hoped to emulate Pompey, who was gaining glory by his victories over Mithridates[13]. There is considerable evidence that they were continuing their collaboration at this time. We have seen that both Livy and Suetonius represent them as working together in the first conspiracy; both state that they were influential in sending Piso to Spain. Livy says in plain words that the two were abetting each other's plans[14]. Crassus must have supplied Caesar with the money to finance the lavish gladiatorial games which he gave as aedile. When Caesar was about to set out for Spain as propraetor, in 62 B. C., Crassus advanced 830 talents as security for Caesar, that his creditors might allow him to depart[15].

The plan seems to have been to win the support of the common people for the conquest of Egypt, which was to be the basis of operations against Pompey. Caesar endeavored to gain the favor of the people by the gladiatorial games which he gave as aedile. He had temporary porticos built not only in the Comitium and in the Forum, but also on the Capitol, in April, at the time of the Megalensian Games, and in September, at the time of the Roman Games[16]. His plays and his public banquets were provided on a lavish scale[17]. He also gave a combat of wild beasts. In his gladiatorial shows he exhibited 320 pairs of gladiators[18]. He had planned to exhibit even more pairs, but his opponents in the Senate, thinking that he intended an attack on them, had a decree passed limiting the number of gladiators[19]. Such lavish displays greatly increased his popularity.

To gain the further support of the people, Caesar ordered set up at night on the Capitol some statues of Marius and the trophies which Marius had won in his battles with Jugurtha, the Cimbri, and the Teutoni[20]. When the people saw them the next morning, the news spread rapidly throughout the city and crowds gathered to see the sight. While some praised Caesar and others blamed him, all were stupified at his audacity in restoring the memorials which Sulla had removed. The Marian faction, thronging the Capitol, with tears of

[1] <The reader should set beside this paper Professor S. L. Mohler's article, Sentina Rei Publicae: Campaign Issues, 63 B. C., THE CLASSICAL WEEKLY 29.81–84. C. K.>.

[1a] Suetonius, Iulius 9. [2] Livy, Epitome 101.22.

[3] Sallust, Bellum Catilinae 18; Livy, Epitome 101.21; Suetonius, Iulius 9.

[4] Asconius 83, bottom, in comments on Cicero, Oratio in Toga Candida.—References to Asconius will be made to the text of Asconius in the Oxford Classical Text Series. That text was edited by Albert Curtis Clark (Oxford: At the Clarendon Press, 1907).

[5] Plutarch, Crassus 13.1; Suetonius, Iulius 11; Cicero, De Lege Agraria 2.44.

[6] Suetonius, Iulius 9; Livy, Epitome 101.23–24.

[7] Sallust 19 (all references to Sallust in this and the remaining notes to this paper are to his Bellum Catilinae); Livy, Epitome 101.25. Compare Piso's epitaph, still extant: Cn. Calpurnius Cn. f. Piso quaestor pro pr. ex s. c. provinciam Hispaniam citeriorem optinuit. See Theodor Mommsen, History of Rome, Translated by W. P. Dickson, 4.209 [New York, Scribner, 1874].

[8] Sallust 19.

[9] Sallust (18.5) says that part of the plot was to send Piso to Spain with an army.

[10] Livy, Epitome 101.25. [11] Sallust 17.7.

[12] Asconius 92. [13] Sallust 17.7; Plutarch, Crassus 7.

[14] Livy, Epitome 102.16 Caesar, et huius plerumque consiliis innexus Crassus.

[15] Plutarch, Crassus 7.

[16] Suetonius, Iulius 10; Livy, Epitome 102.9.

[17] Plutarch, Caesar 5.

[18] Livy, Epitome 102.11; Plutarch, Caesar 5.

[19] Suetonius, Iulius 10; Livy, Epitome 102.9.

[20] The sources for this incident are Livy, Epitome 102.11–14; Suetonius, Iulius 11; Plutarch, Caesar 6.

joy in their eyes, cheered Caesar lustily. But Caesar's enemies declared that he was aiming at supreme power. When the Senate met, Catulus face to face accused Caesar of trying to undermine the State. This incident showed Caesar how popular he was with the people. He not only had made a fine gesture to the Populares, but also had given a warning to the Optimates.

Caesar had for some time encouraged the demand of the Transpadanes for citizenship. On his return from Spain when he was quaestor, in 67 B. C., he had stopped in the cities north of the Po[21]. The plan he formed with Piso involved the Transpadanes[22]. If citizenship should be granted to them, they would support the projected conquest of Egypt. Supported by Caesar, Crassus now tried as censor to enroll them as citizens, but he was checkmated by his fellow-censor Catulus[23]. This incident, like the restoration of the banners of Marius, was a chapter in the struggle between the Optimates and the Populares.

Having secured the support of the people by the measures described above, Crassus and Caesar now unfolded their plans. The people of Alexandria had expelled their king, Ptolemy, who had been declared an ally by the Senate. Here was a splendid opportunity to force the aristocrats to accept outright the legacy of Alexander II[24]. Crassus tried to secure a military command to restore Ptolemy and reduce Egypt to a province[25]. He was opposed strongly by the aristocrats in a violent struggle, and was compelled to give up the attempt[26]. Caesar also through the aid of the tribunes made a similar attempt; he too was defeated by the opposition of the aristocrats[27]. The party which had opposed Pompey's military command considered Egypt too rich a country to entrust to the command of one man.

Although Crassus and Caesar so far had been checked at every turn, they did not abandon their plans. In 64 B. C. Cicero, Catiline, and C. Antonius were candidates for the consulship. Catiline had murdered Marius Gratidianus at the command of Sulla. As propraetor of Africa in 66 B. C. he had bled the provincials, had been indicted *de pecuniis repetundis*, and was acquitted only by bribery and the *praevaricatio* of Clodius. He had already plotted once against the government, and was deeply in debt[28]. Antonius, a former follower of Sulla, had been expelled from the Senate in 70 B. C. because he had plundered the Greeks, and because, burdened with debt, he had sold his property to escape bankruptcy[29]. Crassus and Caesar wanted consuls who would be favorable to their plans for the conquest of Egypt. In the agrarian bill of Rullus they were soon to seek by subterfuge what they had not been able to gain openly (compare below). They needed as tools such rapacious, unscrupulous men as Catiline and Antonius, burdened with debt. Since they considered Cicero an obstacle to their plans, and were unwilling therefore that he should advance politically, by giving Catiline and Antonius financial support they induced them to join forces to defeat Cicero[30]. Plans for bribing electors were hatched either at Caesar's house or at Crassus's house. So extensive was the buying of votes that the Senate passed a decree increasing the penalties for bribery, but it was vetoed by one of the tribunes[31]. Cicero was elected by an overwhelming vote. His success was due partly to the support of the frightened aristocrats. Antonius defeated Catiline by the vote of a few centuries[32]. The popular leaders had been defeated once more.

Caesar, even after the consular elections of 64 B. C., was still planning to use Catiline as his tool. In the trials growing out of the Sullan murder, trials which he conducted as *iudex quaestionis*, Caesar convicted two men accused of murder, but allowed Catiline to go free, although he was as guilty as the others[33].

It is not difficult to see the hand of Crassus and Caesar in the agrarian proposals of P. Servilius Rullus (64 B. C.). The proposals included all that these two men had previously sought. The bill was aimed at Pompey, for he was excluded from the board of *decemviri* by the provision requiring candidates to be present in person[34], and the *decemviri* had the power to sell the very lands which Pompey had recently conquered[35]. Egypt was also included within the jurisdiction of the *decemviri*[36]. Cicero himself believed that Crassus and Caesar were trying to secure secretly what they had failed to get openly in 65 B. C.[37]. Cicero delivered a speech against the bill in the Senate on the first day of his consulship (January 1, 63 B. C.), and followed it by a strong attack in two speeches to the people[38]. The result was that the bill was dropped[39]. It was the second defeat for Crassus and Caesar at the hands of Cicero[40].

Caesar's next move was a direct attack on the Senate. He bribed T. Labienus, a tribune, who was afterwards his *legatus* in Gaul, to indict a certain C. Rabirius for the murder of Saturninus, who 37 years before had been slain, after the Senate had passed the *Senatus consultum ultimum*[41]. Rabirius, an aged senator, denied his guilt. As Cicero pointed out in his defence, even if Rabirius had been guilty of the death of Saturninus, he would have been acting in accordance with the decree

[21]Suetonius, Iulius 8. [22]Suetonius, Iulius 9, *ad finem*.
[23]Livy, Epitome 102.16; Dio Cassius 37.9.
[24]Mommsen (4.66: see note 7, above) has a good note on the disputed issue.
[25]Cicero, De Lege Agraria 2.17.
[26]Plutarch, Crassus 13.1; Livy, Epitome 102.16.
[27]Suetonius, Iulius 11. Compare De Lege Agraria 2.17.
[28]De Petitione Consulatus 3; Seneca, De Ira 3.18; Asconius 83–92; Plutarch, Sulla 32; Sallust 18; Cicero, De Haruspicum Responsis 42; Livy, Epitome 101.20–26.
[29]Asconius 84, 87.
[30]Asconius 83. Compare Sallust 21.3. It is possible that Crassus and Caesar were grooming Catiline as early as the latter's trial late in 65 B. C. One wonders if Catiline refused Cicero's offer to defend him at the trial because he already had received money from Crassus with which to bribe the jury.
[31]Asconius 83.
[32]Asconius 94. Compare Sallust 24.1; Plutarch, Cicero 11.2.
[33]Livy, Epitome 102.18–19; Asconius 90–91; Dio Cassius 37.10.1–3; Suetonius, Iulius 11.
[34]Cicero, De Lege Agraria 2.9. [35]*Ibidem*, 2.15; compare 2.46.
[36]Cicero, De Lege Agraria 2.16.
[37]Cicero, De Lege Agraria 1.1, 2.17. As regards Caesar's connection with the bill, we may note that the method of electing the *decemviri* (by 17 tribes instead of by all 35) was the very method proposed by Labienus for the election of the Pontifex Maximus: Cicero, De Lege Agraria 2.7. Again, in the agrarian law that Caesar sponsored in his consulship not only are there to be found many of the provisions of Rullus's bill, but even several of the provisions to which Cicero objected are lacking. Compare Dio Cassius 38.1–7.
[38]Cicero, Ad Atticum 2.1.3; Livy, Epitome 102.40.
[39]Livy, Epitome 102.40; Plutarch, Cicero 12.
[40]It is interesting to note that Caesar later accomplished in Gaul what he had hoped to accomplish at this early period in Egypt.
[41]Livy, Epitome 102.42; Suetonius, Iulius 12; Dio Cassius 37.26; Cicero, Pro Rabirio 4.

of the Senate along with the consuls, the tribunes, and the praetors, who had been invested with extraordinary powers[42]. It was not Rabirius that Caesar was attacking, but the constitutionality of the *Senatus consultum ultimum*[43]. The Senate tried to forestall the trial, but in vain[44]. As the charge was *perduellio* or treason, *duumviri perduellionis* were appointed by the praetor urbanus, L. Valerius Flaccus, to try the case[45]. The appointees were Caesar and L. Caesar, his kinsman, while Caesar was drawn by lot to try the case and give sentence if necessary[46]. After Rabirius had been condemned by the jurors, Caesar took advantage of the occasion to sentence him with great severity. As a check on the power of the duumviri an appeal to the *comitia centuriata* was regularly allowed. Rabirius appealed[47]. Although he was defended in the Comitia by Cicero and Hortensius[48], he would probably have been convicted had not Q. Metellus Celer, praetor and augur, pulled down the flag on the Janiculum so that the *comitia* had to be dismissed[49].

This was certainly a political trial. Caesar, who had bribed a man to indict a senator for a crime alleged to have been committed 37 years before, was also the very man who tried the case; the charge had been made *perduellio*. The case was one of only two instances during the 'Republican' period of the employment of *duumviri perduellionis*[50]; the *iudices* were selected in an unusual way (if Livy and Dio Cassius are to be believed: see note 45, above). Caesar, the restorer of the banners of Marius, was again attacking the authority and the prestige of the Senate and posing as the champion of the people[51]. If Caesar had hoped to convict Rabirius, he was disappointed. But he had embarrassed the Optimates by calling in question the right of the Senate to pass the *Senatus consultum ultimum*, had defended the right of appeal to the people, and had shown the Populares that he was ready to defend the inviolable character of the tribune.

We have seen that Crassus and Caesar conspired with Catiline in the first conspiracy, sent Cn. Piso to Spain as a foil to Pompey, twice tried to secure a military command in Egypt which would rival Pompey's, and supported Catiline and Antonius for the consulship in order to have consuls favorable to their designs. Besides, Caesar snatched Catiline from the jaws of justice to keep him as a tool. Although they had failed in nearly every manoeuver, not once had they faltered.

It has been thought that the two were implicated in the second conspiracy, 63 B. C. It is my purpose in the rest of this paper to show that they were not involved in that conspiracy.

It is certain that Crassus did not long support Catiline in his second conspiracy. That by October 20 he had definitely dissociated himself from the conspirators is shown by the following incident. When Manilius was getting ready to raise the standard in Etruria and Catiline was plotting to murder Cicero and the senators, Crassus came to Cicero's house at midnight (undoubtedly on the night of October 20), along with M. Marcellus and Scipio Metellus, leading Optimates[52]. He showed Cicero some anonymous letters which had been left at his house that evening. One of the letters, addressed to Crassus, advised him to leave the city, since Catiline was planning a general slaughter. Crassus's receipt of one of the letters shows that he was on friendly terms with the conspirators, if not in league with them, but his act in bringing information to Cicero makes it equally clear that at this time he had not only determined to abandon them, but wished to have them suppressed.

On December 4, the day after the examination of the leading conspirators in the Senate, a man by the name of L. Tarquinius was arrested and examined in the Senate. He gave testimony about the latest plans of the conspirators and added that he had just been despatched by Crassus with a message for Catiline[53]. The reactions of the senators to this charge give us a splendid picture of Crassus's financial power and influence. Some refused to believe it; others, though they thought the charge true, considered it wise to dissemble their beliefs, since they owed Crassus money[54]. They loudly demanded that a vote be taken. It was voted that Tarquinius's testimony was false, and that he should be detained until he revealed the name of his accomplice. In the light of Crassus's visit to Cicero's house, Tarquinius's charge is clearly untrue and very likely the result of a plot. Sallust advances two beliefs which were current at the time, (1) that P. Autronius had brought the accusation against Crassus in the hope that by inculpating him the others might be protected, and (2) that Cicero suborned Tarquinius to prevent Crassus from defending such wicked men, as he was accustomed to do[55]. It is extremely doubtful that there is any truth behind the second belief. Although Cicero believed that Crassus was implicated in the conspiracy[56], it was poor policy to try to incriminate so powerful a man. Besides, Crassus could reply that he had revealed the conspiracy to Cicero on the night of October 20. He had two witnesses, M. Marcellus and

[42]Cicero, Pro Rabirio 7. Did not Cicero realize that this not only was no argument in the eyes of the Populares, who had never conceded the right of the Senate to pass the *Senatus ultimum consultum*, but even was a reason for condemning Rabirius?

[43]Both Livy (Epitome 102.42) and Dio Cassius (37.26) represent the case correctly in this light.

[44]Livy, Epitome 102.43; Dio Cassius 37.27.

[45]Livy, Epitome 102.43 and Dio Cassius 37.27 both say that this was contrary to custom and that the *duumviri* were usually elected by the people.

[46]Suetonius, Iulius 12; Livy, Epitome 102.43.

[47]A. H. J. Greenidge, Roman Public Life, 247 (London, Macmillan, 1922). This is the exercise of the right of *provocatio*, guaranteed by the Lex Valeria of 509 B. C. and subsequently reaffirmed by several other laws, the most recent of which was the Lex Sempronia of C. Gracchus, of 123 B. C. Compare Cicero, Pro Rabirio 12 C. Gracchus legem tulit, ne de capite civium Romanorum iniussu vestro <i. e. the people> iudicaretur.

[48]Cicero, Pro Rabirio 6.

[49]Livy, Epitome 102.43–44; Dio Cassius 37.27–28.

[50]Frank Frost Abbott, Roman Political Institutions[3], 215 (Boston, Ginn, 1911). Richard Wellington Husband, The Prosecution of Catiline's Associates, in The Classical Journal 9 (1913), 22, takes the position that the charge was made *perduellio* that the people might have the opportunity to declare on the constitutionality of the *Senatus ultimum consultum*.

[51]Gaston Boissier, La Conjuration de Catilina[5], 105–106 (Paris, Hachette), thinks that Caesar was trying to prevent the Senate from using the *Senatus ultimum consultum* against him in the future. It is probable that Caesar had a number of motives.

[52]Plutarch, Cicero 15, Crassus 13; Livy, Epitome 102.74; Dio Cassius 37.31.

[53]Sallust 48; Plutarch, Crassus 13; Livy, Epitome 102.96.

[54]Sallust 48.

[55]Plutarch, Crassus 3.2 tells us that Crassus often undertook cases which were refused by Pompey, Caesar, and Cicero. Sallust (48.7–8) refers to Crassus's habit of defending all comers.

[56]Plutarch, Crassus 13.

Scipio Metellus, to prove this. Finally, Cicero knew that Crassus would probably not defend the conspirators, for Crassus had already abandoned them. The case is different, however, with regard to Autronius, who had personal reasons for hating Crassus, because he had left the conspirators in the lurch on January 1, 65 B. C. The deed also squares with the bold character of Autronius[57]. Again, Autronius, who was one of the ringleaders, might be expected to make this last attempt to free Lentulus and others by incriminating Crassus. Whoever the instigator was, the plot to incriminate Crassus, while it shows that he was at one time associated with the conspirators, is no evidence whatsoever that he was still in league with them on December 4.

Caesar was under suspicion later because of accusations made by Q. Curius, who, through Fulvia, had revealed to Cicero[58] the existence of the conspiracy. Curius declared in the Senate that the source of his information was Catiline himself. To defend himself Caesar called upon Cicero, who admitted that Caesar of his own accord had revealed the plot to him. Although the Senate had already voted a reward to Curius for being the first to reveal the existence of the conspiracy, Cicero's testimony apparently showed that Caesar, not Curius, had been the first to bring information, so that Curius lost his reward[59]. Curius must have revealed the conspiracy to Cicero as early as October 20. Hence Caesar, even before this date, must have brought information to Cicero after deciding to abandon the conspirators. Sallust[60] tells us that Curius could not keep a secret. We know how he had told Fulvia about the conspiracy. It looks very much as if his itch for tattling was in evidence again. Curius knew that Caesar had had dealings with Catiline. Curius had undoubtedly heard Catiline mention Caesar as a fellow-conspirator, for he was among Catiline's earliest confederates[61]. The temptation to reveal Caesar's complicity was too great for Curius to resist. Curius was a notorious gambler[62], had been removed from the Senate for immorality, probably in 70 B. C., and did not care a straw what he said or did[63]. His testimony therefore is worthless, but it gave to Caesar the chance to clear himself and it gave to us the evidence that certainly by October 20 Caesar had abandoned the conspirators.

On December 4, the day of the Tarquinius incident, Q. Catulus and C. Piso tried to bribe Cicero to bring a charge against Caesar[64]. Sallust, wishing to defend Caesar, is quick to point out that Catulus and Piso were personal enemies of Caesar, that Caesar had recently defeated Catulus for election as Pontifex Maximus, and as patron of Transpadane Gaul had charged Piso with the murder of one of the natives. It is true, also, that Catulus's attack does not incriminate Caesar as of December 4, for as leader of the Optimates he was Caesar's political as well as personal enemy. At the time when Caesar restored the banners of Marius, it was Catulus who accused him in the Senate of aiming at dictatorial power. It was Catulus also who foiled the attempt of Crassus and Caesar to enroll the Transpadanes. Catulus thought the present occasion was a good opportunity to embarrass Caesar, and blamed Cicero for not seizing it[65]. Cicero refused to act. His refusal does not of itself free Caesar from suspicion at this time, for he had shown in his refusal to implicate Crassus that he had no desire to attack the popular leaders. He was afraid that the attempt to inculpate Caesar would result not only in his acquittal but also in the acquittal of Lentulus and others[66]. That Cicero regarded Caesar and Crassus as guilty is shown by Plutarch's statement[67] that Cicero did implicate both in a speech published after their death. Professor Tyrrell[68] thinks that Plutarch refers to the speech De Consiliis Suis which is mentioned by Asconius[69]. If Professor Tyrrell is right, Plutarch's statement does not necessarily contradict the conclusion that Caesar and Crassus had abandoned Catiline by this time, for Asconius refers to Crassus's part in the first conspiracy of Catiline and to Crassus's and Caesar's support of Catiline's candidacy.

The day before, December 3, both Crassus and Caesar were among those selected to guard the arrested conspirators. Mommsen[70] considers this a shrewd move, for, if they let the prisoners escape, the public would consider them accomplices, while, if they detained the prisoners, their fellow-conspirators would call them traitors. While this view is a shrewd conjecture, it overlooks the fact that Crassus and Caesar had already given information to Cicero, who was thus in a position to believe that they had now deserted the conspirators. I believe that Cicero wanted to put them on the defensive. There was little chance that they would allow their charges to escape. To make them jailers was to give them an opportunity publicly to declare their stand and possibly to win their neutrality, if not their support. Besides, Crassus is probably the popular leader who, Cicero says[71], was not present in the Senate on December 5 (as Hardy thinks[72]), but had voted with the Optimates on December 3 that the conspirators should be arrested and a *supplicatio* be decreed. This vote, as well as the fact that neither Crassus nor Caesar allowed his charge to escape, is further evidence that the two were no longer associated with Catiline.

This conclusion is further strengthened by Caesar's speech in the Senate, December 5. To be sure, Caesar did oppose the death penalty[73]. But this he did as the spokesman of the Populares, who had never admitted

[57]Cicero, Pro Sulla 25.

[58]Suetonius, Iulius 17.

[59]It has been suggested that it was Caesar who brought Curius and Fulvia to Cicero. But, if this is so, I do not understand what motive induced Curius to name Caesar in the Senate. He would have felt pleased to receive the reward if he had been acting only as the agent of Caesar. He must also have realized that Caesar was in a position to deprive him of his reward. I think the best explanation of the loss of the reward is the simplest, namely that Cicero's testimony showed that Caesar's information antedated Curius's.

[60]Sallust 23. [61]Sallust 17. [62]Asconius 93. [63]Sallust 23. [64]Sallust 49.

[65]Plutarch, Caesar 7–8.

[66]Plutarch, Cicero 20, *ad finem*. [67]Plutarch, Crassus 13.

[68]Robert Yelverton Tyrrell and Louis Purser, The Correspondence of Marcus Tullius Cicero, 1².20 (London, Longmans, 1885).

[69]Asconius 83. Compare Dio Cassius 39.10; Cicero, Ad Atticum 2.6.2, 14.17.6.

[70]Mommsen, 4.224 (see note 7, above).

[71]Cicero, In Catilinam 4.10.

[72]E. G. Hardy, The Catilinarian Conspiracy in its Context, 87–88, 91 (Oxford, Basil Blackwell, 1924).

[73]Cicero, In Catilinam 4.10; Sallust 51.20–24; Plutarch, Cicero 21, Caesar 7; Suetonius, Iulius 14.

the legality of the *Senatus consultum ultimum*. We recall that, in the trial of Rabirius, Caesar had warned the Optimates that it was illegal to put to death a Roman citizen without appeal to the people. Now, on December 5, he again warned the Senate that the execution of Lentulus, etc., would be illegal[74]. But he repeatedly made it clear that he was not defending the prisoners, declaring that no punishment would be too severe for them[75]. He had no desire to be linked with condemned traitors.

Both Appian[76] and Plutarch[77] state that the suspicion which Cato raised against Caesar in his speech was an important factor in the voting of the death penalty. The incident, however, is merely another indication of the hatred of the Optimates for Caesar, and contributes nothing to proof of his guilt.

As Caesar was leaving the senate-chamber, some of Cicero's bodyguard drew their swords and threatened him[78]. Those who were near him threw their togas around him, and he escaped[79]. The attack was apparently made by enthusiastic young supporters of Cicero (from the *equites*) who were angry with Caesar because he had obstructed the voting of the death penalty. While, like the suspicions of Cato, and the attacks of Catulus and Piso, it is evidence of the feeling of Optimates and Equites against Caesar, it is no clue as to whether or not he was still a member of the conspiracy.

When the cases growing out of the conspiracy were being tried early in 62 B. C., L. Vettius, an informer, averred he could produce a letter in Caesar's handwriting addressed to Catiline[80]. Now it is inconceivable that Caesar would have been so foolish as to put into writing evidence that might later convict him. Besides, according to Dio Cassius's confused account[81], the Senate suspected that Vettius had named innocent persons. The result was that Caesar put him in prison. Three years later he was playing the same game of informer[82].

Why did Crassus and Caesar abandon Catiline? Crassus as well as Caesar was shrewd enough to keep in the background until he could discover whether an undertaking was likely to succeed or not. Sallust[83] shows a fine understanding of Caesar's motives: cuius-vis opes voluisse contra illius <i. e. Pompey> potentiam crescere, simul confisum, si coniuratio valuisset, facile apud illos principem se fore. When Catiline began to plan violent measures after the elections of 63 B. C., Crassus may have decided that such harebrained measures would not succeed, and may have determined to abandon him. Crassus and Caesar may also have come to an agreement with Pompey through Metellus Nepos, and so no longer have had need of Catiline as a tool[84].

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[74]Sallust 51.17, 21–24. [75]Sallust 51.8, 17, 25.
[76]Appian, Bella Civilia 2.6.
[77]Plutarch, Caesar 8, Cicero 21. Sallust (52.16) has considerably toned down Cato's suspicions.
[78]Plutarch, Caesar 8.
[79]Suetonius, Iulius 14 places the incident in the senate-house during the discussion of the death penalty. Sallust (49), with an evident desire to win sympathy for Caesar, places it on the day before that discussion, i. e. on December 4, makes it the result of false accusations against Caesar, and gives three conflicting motives that influenced the guards who made the attack on Caesar as he was leaving the Curia. The guards were *equites* who had been detailed to protect the Temple of Concord, where the Senate was in session.
[80]Suetonius, Iulius 17. [81]Dio Cassius 37.41.
[82]Compare Dio Cassius 38.9; Appian, Bella Civilia 2.12; Suetonius, Iulius 20; Cicero, Ad Atticum 2.24, Pro Sestio 63, In Vatinium 10; Plutarch, Lucullus 42.
[83]Sallust 17, *ad finem*.
[84]Hardy, 61–63, 106–108 (see note 72, above) develops this thesis in a brilliant reconstruction.

ARISTOTLE, DE CAELO 2.6, 288a, 22

τοῖς δὲ ῥιπτουμένοις ἀνὰ μέσον. . . .

Aristotle, in De Caelo 2.6, argues that the motion of the first heaven, the sphere of the fixed stars, is regular in the sense that it is free from any retardation or acceleration. His first argument (288a 13–27) is that, if the motion were irregular, it would be subject to acceleration and retardation. Now acceleration and retardation, he continues, imply beginning, middle, and end. But circular motion, the type of motion natural to the first heaven, has no beginning, no middle, and no end. This is true not only in the *temporal* sense, for the heaven is eternal (De Caelo 1.10-2.1), but also in the *spatial* sense, because of the geometric properties of the circle (De Caelo 2.6, 288a 25). He concludes, therefore, that the motion of the first heaven is not irregular, but regular, in the sense stated.

This has always seemed an unwarranted conclusion to those who, like Prantl[1], think of the occurrence of accelerated circular motion in so many instances of daily experience. But Aristotle anticipates this objection by calling attention (288a 27–288b 7) to the unreasonableness of the view that would assume the presence of a cause of irregularity either in the first heaven and its circular motion, unchanging and perfect, or in that which gives the heaven its motion, the prime mover. The perfection and the simplicity of the circle are cardinal to Aristotle's doctrine (De Caelo 1.2), and no less so is the eternal, unchanging perfection of the prime mover (see e. g. Physics 8.6, 259b 32–260a 19). Rectilinear motion, on the other hand, can never, because of the finiteness of the universe, be eternal. Furthermore, irregularity, with its acceleration or retardation or both, is characteristic of rectilinear motion[2], both natural (κατὰ φύσιν) and unnatural (παρὰ φύσιν), in the sense of De Caelo 1.2. In natural motion, i. e. the free motion of a heavy body toward the center of the universe or the rise of a light body away from the center, the maximum speed (ἀκμή) is attained at the goal of the motion; in unnatural motion, the motion of a heavy body away from the center or of a light body toward it, the maximum speed is present at the beginning of the motion (288a 21). Such lack of uniformity of speed, for the reasons just given, cannot be characteristic of the circular motion of the first heaven.

Now Aristotle adds that the maximum speed in the case of missiles (τὰ ῥιπτούμενα) is attained neither at the beginning nor at the end, but at the middle (τοῖς δὲ ῥιπτουμένοις <ἐστὶν ἀκμὴ> ἀνὰ μέσον, 288a 22). It is this that has always troubled readers. On first consideration one might be inclined to view the case of

[1]Carl Prantl, Aristoteles' Vier Bücher Ueber das Himmelsgebäude, 299–300 (Leipzig, Engelmann, 1857).
[2]The case in which a uniform motive force constantly attends the object moved is not under discussion here.

missiles as covered by the cases of natural and unnatural motion. For an object—I shall confine myself in what follows to the case of what Aristotle would call a 'heavy' body, whose natural motion is downward—hurled either directly upward or even obliquely upward would have its maximum speed at the beginning of its motion, whereas one hurled directly downward or obliquely downward would have its maximum speed at the end of its motion. This would leave the reference to missiles unexplained.

The solution would seem to lie in our considering τὰ ῥιπτούμενα as bodies set in motion *in the true horizontal direction*, i. e. neither upward (directly or obliquely) nor downward (directly or obliquely), and in our considering ἀνὰ μέσον as the midpoint of the trajectory in this horizontal direction. The inclusion of the case of true horizontal motion completes the series of possible rectilinear motions[3]. The assigning of the midpoint as the place (or the time) of the maximum speed of these missiles seems, furthermore, to be an a priori assumption of Aristotle. The horizontal plane marks the boundary between the motions which are κατὰ φύσιν (in the absolute sense, or in the sense that, if the motion be oblique, the vertical component is downward) and those that are παρὰ φύσιν (in the absolute sense, or in the sense that, if the motion be oblique, the vertical component is upward). It seems, then, that Aristotle, or whoever invented the doctrine, put the ἀκμή of motion in this intermediate, limiting plane midway between the ἄκμαί in the other two cases from aesthetic motives, to secure symmetry and a type of continuity (imperfect though it is) throughout the whole realm of rectilinear motion. For this reason I should interpret ἀνὰ μέσον strictly as the midpoint rather than as any point between the beginning of the motion of the missile and the point where the motion ceases to be truly horizontal.

The most serious difficulty with this view, as I have stated it, is that the ancient commentators, whose sources, generally speaking, reach back to times very close to those of Aristotle himself, do not seem to put it forth in any detail and are obviously not satisfied with it. Thus Simplicius (In Aristotelis De Caelo Commentaria 423.8–36 [edition of J. L. Heiberg, Berlin, Reimer, 1894]) considers that inanimate objects, whether elements or compounds, when they are hurled, move with motion παρὰ φύσιν[4] until the effect of the original force is lost, and that thereafter the motion is κατὰ φύσιν[5] (in the case of a compound the φύσις of the prevailing element therein governs, as usual). He would seem to include, then under motion παρὰ φύσιν (and therefore with the ἀκμή at the beginning) a motion imparted to such a body in the true horizontal direction. He adopts, therefore, as an explanation of the passage under discussion, a suggestion referred to, though not, apparently, approved, by Alexander of Aphrodisias, to the effect that the only ῥιπτούμενα which, sent out horizontally, attain their ἀκμή in the middle of the motion are those controlled by a ψυχή, e. g. the limbs of animate beings. It is perfectly true that such motion commences and ceases gradually, as Simplicius indicates. Yet, as an explanation of Aristotle's language, in which there is no inkling at all of any discussion of animate beings, the idea is so far-fetched that it must be dismissed.

Alexander suggested (423.37–424.16) that more probably ἀνὰ μέσον referred to the circumstance that missiles, since they move neither downward nor upward, but ἐπὶ τὸ μέσον (424.12: this obviously refers to the horizontal plane), have their maximum speed in the horizontal plane. Alexander interprets the passage, then, as meaning that, since the motion is entirely accomplished in the horizontal plane, the maximum speed is attained there. In this he is followed by Mr. J. L. Stocks[6], translator of the De Caelo.

This seems to me a needless restriction of Aristotle's meaning and a reduction of the idea to an insignificant truism. Aristotle has just told us (288a 21) *at what point* in the path of a body moving naturally, and *at what point* in the path of a body moving unnaturally the maximum speed is reached, namely at the goal and at the start, respectively. We expect him to tell us *at what point* in the path of a missile the maximum speed is reached. According to the view of Alexander, however, Aristotle does not give us this information.

Again, Alexander (424.4–6), followed by Mr. Stocks, would interpret οἱ and ὅθεν (288a 20–21) as the natural place of the body in question, and would restrict, needlessly, in my opinion, the idea of motion κατὰ φύσιν and motion παρὰ φύσιν to cases where the body reaches its natural place and starts from its natural place, respectively. Why should the typical cases of motion, as we experience it, be excluded? The accelerated fall of a heavy body from a height so that its maximum speed is attained at the moment when the body encounters an obstacle which halts it is a clear case of motion κατὰ φύσιν and the obstacle may be considered the end (οἱ) of the motion. Similarly, the upward projection of the heavy body from a point, say, on the surface of the earth is certainly a case of motion παρὰ φύσιν, and the point from which the body is projected may be considered the *terminus a quo* (ὅθεν). So far from considering (with Mr. Stocks) these cases as excluded from Aristotle's discussion in 288a 21, I should consider them as precisely those which he had in mind. I should also consider as in a certain sense subsumed under motion κατὰ φύσιν and motion παρὰ φύσιν, respectively, the cases of obliquely downward and obliquely upward motion (for heavy bodies), respectively, as explained above[7].

[3] In the passage under discussion, horizontal motion is rectilinear, just as is motion directly toward or directly away from the center of the universe. Aristotle seems not to have considered the horizontal path in the sense of the circular path all points of which are equally distant from the center of the universe.

[4] Simplicius should, I think, be understood as referring here to cases in which there is no downward component in the original projection.

[5] That the trajectory of a projectile is a parabola was not demonstrated until Galileo's time. Before that, the first part and the last part of the trajectory were generally considered rectilinear, and it was held that a curve bridged these two rectilinear parts. The curve was considered the resultant of the constantly diminishing tendency in the original direction and the natural tendency downward.

[6] Aristotle, De Caelo, Translated by J. L. Stocks (Oxford: At The Clarendon Press, 1922).

[7] It is possible, but not necessary, to consider horizontal motion as a mixture of motion κατὰ φύσιν and motion παρὰ φύσιν (see Mr. Stocks's note on the passage in question). This does not, however, in itself give a complete explanation of ἀνὰ μέσον.

With respect to my chief contention, that Aristotle in this passage asserts that in the case of the horizontal motion of missiles the maximum speed is attained midway between the point at which the motion commences and the point at which the motion ceases to be truly horizontal and becomes natural downward motion (or a combination of both), there are indications that the passage was so interpreted by some in antiquity. That the passage was so interpreted in the medieval and subsequent periods is certainly true.

Themistius, writing in the fourth century, gives the interpretation which I have just indicated, and refers also to the view that it is the motion of animate beings that Aristotle had in mind, a view which, as we have seen, is at least as old as Alexander. Themistius writes[8]: 'Those bodies which move horizontally, as arrows which are shot, have their maximum speed in the middle of their motion. Now this is easily observed and obvious in the case of animals....'

Simplicius, in the sixth century, after setting forth the view which, as we have seen, Alexander held to be the more probable, goes on to say (424.17–18) that perhaps Aristotle uses the terms 'beginning', 'middle', and 'end' not merely τοπικῶς, but χρονικῶς, and with respect to the trajectory (κατὰ τὴν κίνησιν), that is, to the view that ἀνὰ μέσον refers to motion in the horizontal plane is added the notion of the maximum speed of projectiles at the midpoint of the time (or the space, or both, since they will, presumably, coincide) of the horizontal motion. But Simplicius gives us only the barest hint of this, and passes on to another discussion.

It is not until we come to St. Thomas that we find any attempt to set forth a reason for the strange doctrine which holds that the speed of missiles projected horizontally increases after the projection and until the midpoint of the course is reached. It is instructive to examine St. Thomas's note on the passage because this note contains material important in connection with the great scientific debate of the later medieval period and of the Renaissance. This debate, to which I shall refer below, involved this very doctrine of the acceleration of projectiles, a doctrine which had to be completely refuted before the principle of inertia, as we have it in the Galileo-Newtonian system, could be accepted.

St. Thomas, after setting forth the various interpretations of the passage we are discussing, and after indicating the plausibility of interpreting ἀνὰ μέσον not merely of the horizontal plane, but of the midpoint, in time, of the motion, goes on to give the reason for the acceleration of projectiles moving horizontally. He writes[9]:

'For the motion of such projectiles is caused by the impulse of the carrying medium which more easily receives the impulse of the mover than does the heavy body itself which is being hurled (as is clear from Physics 8), and for that reason the motion of projection is swifter in the middle, when a great quantity of air has been set in motion, than at the start, when only a small quantity of air has as yet been moved, and swifter, also, than at the end, when the force impressed by the projector is already beginning to be weakened. An indication of the truth of this is that missiles of this sort do not make as great an impression on a target which is very near or on one that is very far as on one that is moderately distant'.

The reference is to the well-known Aristotelian theory that projectiles depend for the continuance of their motion, after they have broken contact with the original projector, on the motion of the medium. It is to be noted, however, that nowhere, so far as I know, does Aristotle, in explaining the effect of the medium on the motion of projectiles, make reference to the type of accelerated motion of projectiles which we are discussing.

Whatever doubts the early commentators may have had, and whatever doubts we may have as to precisely what Aristotle meant in the passage under discussion, it was generally taken for granted in later medieval times and in the Renaissance that Aristotle believed that the speed of missiles increased after contact with the original projector was lost[10]. The view that projectiles attain their maximum speed in the middle of their trajectory seems, furthermore, to have been imputed, at times, to Aristotle even for the case of missiles not projected along the true horizontal[11]. For this last view the passage we are discussing furnishes no support, and surely no other passage does.

The history, subsequent to St. Thomas, of the erroneous doctrine that the speed of missiles increases after the original projection (I do not, of course, when I say 'erroneous', refer to downward projection, direct or oblique), is told, in detail, by Pierre Duhem in the course of his Études sur Léonard de Vinci (Paris, Hermann, 1906–1913. Three Volumes)[12]. What enables a missile to move after the original projector loses contact with it? Is it the motion of the air, or is it some force impressed on the missile by the projector? This question, debated in antiquity, is discussed again with great vigor in the later medieval period and in the Renaissance. The doctrine of *vis impressa*, so ably set forth in the sixth century by Philoponus (though, in all probability, it was not original with him), is taken up by scientists in the fourteenth, fifteenth, and sixteenth centuries, and, despite strong opposition, mainly from the Averroists, achieves its successful culmination with Galileo.

Yet even among those who contributed in one way or another to the laying of the foundations of modern dynamics, we note that the idea that the speed of projectiles increases after the projection is long maintained. Among the many sharing this view we find Nicolas Oresme, Marsilius of Inghen, Leonardo da

[8]It is very doubtful whether the late translations of Themistius's commentary (no longer extant) fairly represent his view. I cite Themistii In Libros Aristotelis De Caelo Paraphrasis Latine, 105.9–12 (edited by S. Landauer [Berlin, Reimer, 1902]). This is a Latin translation of the Hebrew paraphrase of Themistius's commentary.

[9]Sancti Thomae Aquinatis Opera Omnia 2.150b (Rome, 1884).

[10]Though modern students of Aristotle have, at times, also adopted this interpretation, there is not the unanimity that characterized the opinion of this earlier period.

[11]See e. g. Galileo in his early work, De Motu (Le Opere di Galileo Galilei 1.308.20 [Florence, Barbèra, 1890]). Even so careful a student of Aristotle as Pierre Duhem seems to extend the proposition of Aristotle to all projectile motion (see his Études sur Léonard de Vinci 1.128). This, I am convinced, is an erroneous interpretation, for it would lead to the proposition that a missile hurled straight upward receives an initial acceleration after the projection, a contradiction of τοῖς δὲ παρὰ φύσιν ὅθεν, 288a 21.

[12]See also Duhem's paper, De L'Accélération Produite par une Force Constante, Congrès International de Philosophie 2 (1904), 859–914.

Vinci[13], Bernardino Baldi, Dominic Soto, and Jerome Cardan. The combined influence of Aristotle, whether he was correctly or incorrectly interpreted, and of St. Thomas was probably the most important factor in attracting support to the doctrine.

The view that the air is a factor resisting motion rather than an indispensable concomitant of motion attained general acceptance only after a long struggle. Duhem shows, in this connection, the importance of the work done in the fourteenth century at the University of Paris, in particular by Jean Buridan and Albert of Saxony, and traces the influence of these men on the subsequent founding of a fruitful science of dynamics. In this whole movement, which led to the development of the principle of inertia in the Galileo-Newtonian system, the question of the motion of projectiles was necessarily involved. In fact, the further examination of this question and of related questions ultimately led—and still leads—to the basic questions of the void, of action at a distance, and of the foundations of physical theory.

It is interesting to note, though it should in no way affect our interpretation of the passage under discussion, that, throughout the long debate to which I have referred, the view that Aristotle taught the doctrine of the initial acceleration of projectiles seems to have gone unquestioned. Our own interpretation, however, of Aristotle's meaning should be based, in my opinion, on the considerations set forth at the beginning of this paper.

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[13]We may note, in particular, Leonardo's elaboration of St. Thomas's discussion of the effect of the medium in producing the initial acceleration, and also the reference to the experiment with the target. See P. Duhem, Études sur Léonard de Vinci 1.333, 2.213 (or pages 869 and 873 of the article cited in note 12, above).